

FILED  
CLERKS OFFICE  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
2004 JUL -2 P 1: 26  
Civil Action No; #2004-cv-11023-RCL  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

LEON ROBINSON,  
vs. Plaintiff,  
THOMAS MENINO, ET AL,  
Defendants.

EXPARTE

MOTION FOR SERVICE OF SUMMONS

TO DEFENDANTS AMERICAN BROADCASTING, CO., INC.,  
DENNIS MCCARTHY AND JOHN DOE, BY UNITED STATES MARSHALS SERVICE

Now comes the plaintiff, Leon Robinson, (defendant "Robinson") and incarcerated pro se litigant in this civil action and moves this Honorable Court to ORDER service of summons and complaint upon the defendants American Broadcasting Co., Inc., Dennis McCarthy and John Doe (defendants "ABC, McCarthy, and Doe") by United States Marshals Service.

As reasons for this motion the plaintiff Robinson, states that this civil action has been removed to this Court from the Superior Court Department for Suffolk County No:02-0377 pursuant to 28 U.S.C. § 1441.

On February 24, 2004 Superior Court Judge White, ordered the plaintiff Robinson, to serve the defendants by certify mail. See Notice of Docket Entry dated 2-24-04 attached as Exhibit 1.

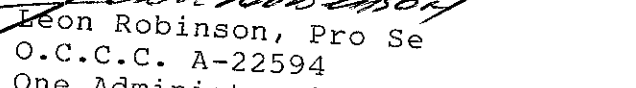
On May 12, 2004 plaintiff Robinson, served the defendants ABC, McCarthy by certified mail as ordered by judge White. The Summons, Amended Complaint was returned to plaintiff Robinson as **"REFUSED"** by the defendants ABC and McCarthy. See Photocopy of Envelope and Certified Mail Return Receipt attached as Exhibit 2.

The defendants ABC, and McCarthy refused service and therefore service must be effected by the United States Marshals Service.

**Wherefore,** plaintiff Robinson, requests that this Honorable Court ORDER service upon defendants American Broadcasting Co., Inc, and upon Dennis McCarthy be effected by United States Marshals service. Further, that the Clerk of Courts be directed to send plaintiff Robinson two USM-285 Process Receipt and Return forms along with ORDER of proceeding in forma pauperis and waiver service fees.

June 22, 2004

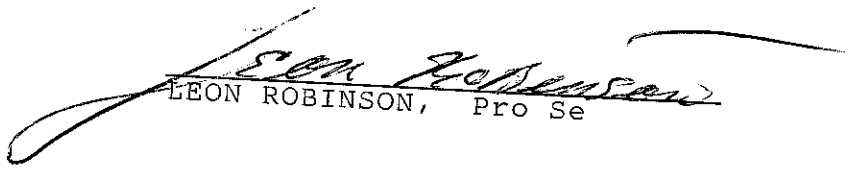
Respectfully Submitted  
by the Plaintiff,

  
Leon Robinson, Pro Se  
O.C.C.C. A-22594  
One Administration Road  
Bridgewater, Massachusetts 02324

CERTIFICATE OF SERVICE

I, Leon Robinson, hereby certify that on this date I served a copy of the foregoing documents upon: Margaret H. Sanel, for the defendants at: City of Boston Law Department, Room 615, Boston City Hall, Boston, Massachusetts 02201

6/22/04

  
LEON ROBINSON, Pro Se